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09/630,134	08/01/2000	Samuel N. Zellner	BS00-065	5969

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EXAMINER

RAMPURIA, SHARAD K

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 07/10/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

12

Office Action Summary

Application No.

09/630,134

Applicant(s)

ZELLNER ET AL.

Examiner

Sharad Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 44 and 45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

Response to Amendment

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Emery et al., Serbetcioglu et al.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-8, 12-15, 17-22, 26, 31-32, 38, 41, are rejected under 35 U.S.C. 102 (e) as being anticipated by Malik et al.

1. Regarding claim 1, Malik disclosed A method for delivering a calling party's location (202; fig.4; col.8; 50-65) comprising:

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- a) receiving a call at a called party's central office (102; Fig.3; col.8; 8-14), wherein data associated with the call includes a directory number (770-555-1234) of the calling party; (Col.8; 27-39)
- b) triggering a query to a service control point from the central office; (Col.8; 40-49)
- c) in response to the query, retrieving, by using the service control point, location information associated with the calling party; (Col.8; 50-65)
- d) returning the location information to the central office; (col.8; 8-14) and
- e) terminating the call and delivering the location information to the called party. (Col.9; 38-53 & col.6; 38-52)

2. Regarding Claim 2, Malik disclosed The method of claim 1, wherein if the call is from a stationary device, the method further comprises the step of recording the location information during the calling party's service activation. (Col.6; 17-25)

3. Regarding Claim 3, Malik disclosed The method of claim 2, wherein the calling party's location information is a location where the stationary telephone is installed. (Col.6; 17-25)

4. Regarding Claim 4, Malik disclosed The method of claim 1, wherein if the call is from a mobile device, the method further comprises the step of recording the location information after the call originates and before the call is received at the central office. (Col.3; 47-53 & 13-21)

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5. Regarding Claim 5, Malik disclosed The method of claim 4, the step of recording the location information comprises using a location system to determine a current location of the mobile device. (Col.3; 47–53 & 13-21)

6. Regarding Claim 6, Malik disclosed The method of claim 5, wherein the current location is in raw form and wherein the step of recording the location information further comprises translating the current location into a displayable form. (112; fig.3; col.7; 64 – col.8; 6 & col.12; 29-52).

7. Regarding Claim 7, Malik disclosed The method of claim 1, wherein the step of retrieving the location information comprises searching a database for the calling party's location information using the directory number. (Col.8; 27-49)

8. Regarding Claim 8, Malik disclosed The method of claim 1, wherein the step of retrieving the location information further comprises translating the location information to a displayable form. (col.7; 64 – col.8; 6 & col.12; 29-52)

12. Regarding Claim 12, Malik disclosed The method of claim 1, wherein the directory number is a telephone number of the calling party. (Col.6; 38–52)

13. Regarding Claim 13, Malik disclosed The method of claim 1, wherein the query to the service control point requests location information of the calling party. (Col.8; 40-65)

14. Regarding Claim 14, Malik disclosed The method of claim 1, wherein the database cross-references directory numbers with location information of the directory numbers. (Col.8; 27-49)

15. Regarding Claim 15, Malik disclosed The method of claim 1, wherein a network that tracks locations of network devices provides the location information.(Col.12; 3-12)

17. Regarding claim 17, Malik disclosed A system for delivering a calling party's location information (202; fig.4; col.8; 50-65), the system comprising:

a) an address database cross-referencing location descriptions with directory numbers (Col.8; 27-49);

b) a service control point in communication with the address database, (Col.8; 40-65)
a called party's central office that receives a call from the calling party, wherein data associated with the call includes a directory number of the calling party, (Col.8; 27-39)

wherein the service control point is adapted to, in response to a query received from the central office, search the address database for a location description corresponding to the directory number, and to forward the location description to the central office, and wherein the central office terminates the call and delivers the location description to the called party. (Col.8; 40-65)

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18. Regarding claim 18, Malik disclosed The system of claim 17, wherein the query is a query for routing instructions, the service control point is adapted to provide routing instructions, and the service control point returns routing instructions with the location description to the central office which forwards the location description to a display unit. (Col.8; 40-65)

19. Regarding Claim 19, Malik disclosed all the particulars of the claim except the routing instructions are in the form of a transaction capability application part response. However, Malik teaches in an analogous art, that The system of claim 18, wherein the routing instructions are in the form of a transaction capability application part response. (TCAP; 214; Fig.4; Col.8; 50-65) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the routing instructions are in the form of a transaction capability application part response in order to provide final message containing instructions on how to handle the call.

20. Regarding claim 20, Malik disclosed The system of claim 17, further comprising a network that tracks locations of network devices, wherein the network records the location descriptions in the address database. (202; fig.4; Col.12; 3-12)

21. Regarding claim 21, Malik disclosed The system of claim 20, wherein the network devices are mobile devices and the network continually updates the address database with new location descriptions. (202; fig.4; Col.12; 3-12)

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22. Regarding Claim 22, Malik disclosed The system of claim 20, wherein the network devices are stationary devices and the network records the location descriptions of the stationary devices upon installation of the stationary devices. (Col.6; 17–25)

26. Regarding claim 26, Malik disclosed The system of claim 20, wherein the network includes a network-based location system that provides the location descriptions. (Col.12; 3-12)

31. Regarding claim 31, Malik disclosed The system of claim 17, further comprising a name database cross-referencing calling party names with directory numbers, (Col.8; 27-49)

wherein the service control point is further adapted to search the name database for a name corresponding to the directory number, and to forward the name to a display unit (105; Fig.3; Col.8; 8–14), and wherein the display unit displays the location description and the name. (Col.8; 40-65)

32. Regarding claim 32, Malik disclosed The system of claim 31, wherein the display unit is a calling name display unit. (105; Fig.3; Col.8; 8–14)

38. Regarding claim 38, Malik disclosed A system for delivering a calling party's location information, the system comprising:

a) an address database that lists directory numbers and their associated locations; (202; fig.4; Col.8; 40-65)

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- b) a service control point in communication with the address database; (106; Fig.3; Col.8; 40-49) and
- c) a wireless network having a location system that tracks locations of wireless network devices, (ISUP; col.12; 3-12)

wherein the service control point is adapted to, in response to a query received from a called party's central office, wherein the called party's central office receives a call from the calling party, search the address database using a directory number associated with the calling party, and to forward an associated location of the directory number to the central office. (Col.8; 40-65) , and wherein the location associated with the calling party is updated by the location system.

41. Regarding claim 41, Malik disclosed The system of claim 38, wherein the system is a part of a calling name delivery service and the system further comprises a name database that lists directory numbers and their associated calling party names, (Col.8; 40-65)

wherein the service control point is adapted to search the name database using a directory number, and to forward an associated calling party name of the directory number to a display unit. (Col.8; 40-65)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 24, 33-36, 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. in view of Alperovich et al.

10. Regarding Claim 10, Malik disclosed all the particulars of the claim except the displayable form is selected from the group consisting of a street address, a landmark, and a building name. However, Alperovich teaches in an analogous art, that The method of claim 8, wherein the displayable form is selected from the group consisting of a street address, a landmark, and a building name. (Col.3; 64 – Col.4; 14) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the displayable form is selected from the group consisting of a street address, a landmark, and a building name in order to provide the information in appropriate form.

24. Regarding claim 24, Malik disclosed all the particulars of the claim except the network includes a handheld device. However, Alperovich teaches in an analogous art, that The system of claim 20, wherein the network includes a handheld device location system that provides the location descriptions. (Col.4; 58–65) Therefore, it would have been obvious to one of ordinary

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skill in the art at the time of invention to include the network includes a handheld device in order to provide moving freely in the network.

33. Regarding claim 33, Malik disclosed A service control point (Col.8; 8-14) for delivering a calling party's location information, the service control point comprising:

a) a first communication link for receiving a query requesting location information of a network device, the query including a directory number of the network device; (Col.8; 27-49) and

wherein the query is sent from a called party's central office that receives a call from the network device, wherein the service control point is adapted to, in response to the query, search the address database for the calling party's location information corresponding to the directory number and to return a response message to the called party's central office with the calling party's location information. (Col.8; 40-65)

Malik fails to disclosed a second communication link to an address database that cross-references calling party location information with directory numbers. However, Alperovich teaches in an analogous art, that b) a second communication link to an address database that cross- references calling party location information with directory numbers, (201; Fig.2; Col.3; 64 – Col.4; 14) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a second communication link to an address database that cross-references calling party location information with directory numbers in order to minimize, at the called party end, the amount of equipment to receive location information.

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34. Regarding claim 34, Malik disclosed The service control point of claim 33, wherein the service control point is adapted to receive an integrated services digital network (ISDN; col.7; 29-43) user part (ISUP; col.12; 3-12) signaling message containing a calling party directory number, a called party directory number, and a presentation parameter. (Col.3; 41-54)

35. Regarding Claim 35, Malik disclosed The service control point of claim 33, wherein the service control point returns a transaction capability application part response including the calling party's location information and call routing instructions. (TCAP; 214; Fig.4; Col.8; 50-65).

36. Regarding claim 36, Malik disclosed all the particulars of the claim except a third communication link to a name database that cross-references calling party names with directory numbers. However, Alperovich teaches in an analogous art, that The service control point of claim 33, further comprising a third communication link to a name database that cross-references calling party names with directory numbers, (206; Fig.2; Col.3; 64-67)

wherein the service control point is further adapted to search the name database for a calling party name corresponding to the directory number and the transaction capability application part response includes a calling party name. (Col.3; 55-63) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a third communication link to a name database that cross-references calling party names with directory numbers in order to minimize, at the called party end, the amount of equipment to receive location information.

42. Regarding Claim 42, Malik disclosed A method for delivering a wireless calling party's location as part of a calling name delivery service, the method comprising:

- a) receiving at a called party's central office (102; Fig.3; col.8; 8-14), a call to a subscriber of the calling name delivery service, the call including a directory number (770-555-1234) of the wireless calling party; (Col.8; 27-39)
- b) triggering a query from the central office to a service control point requesting call routing instructions; (Col.8; 40-49)
- c) in response to the query, retrieving, by using the service control point, a location and a name of the calling party using the directory number; (Col.8; 50-65)
- d) if the location is raw, translating the location into displayable form; (112; fig.3; col.7; 64 – col.8; 6 & col.12; 29-52)
- e) returning the call routing instructions, the name, and the location to the central office; (col.8; 8-14)
- f) forwarding the call, the name, and the location to the subscriber; (Col.8; 50-65) and
- g) displaying the name and the location on a calling number display unit of the subscriber. (105; Fig.3; Col.8; 8-14)

Malik fails to disclosed A method for delivering a wireless calling party's location.

However, Alperovich teaches in an analogous art, that A method for delivering a wireless calling party's location. (Col.4; 58-65) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include A method for delivering a wireless calling party's location in order to provide moving freely in the network.

43. Regarding Claim 43, Malik disclosed all the particulars of the claim except the wireless calling party. However, Alperovich teaches in an analogous art, that The method of claim 42, wherein prior to receiving the call at the central office, the method further comprises determining the location of the wireless calling party and recording the location. (Col.3; 54-67) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the wireless calling party in order to provide moving freely in the network.

Claims 11, 28-30, 39-40, are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. in view of Valentine (WO-99/27716).

11. Regarding Claim 11, Malik disclosed all the particulars of the claim except the group consisting of textual displays, graphical displays, and audio messages. However, Valentine teaches in an analogous art, that The method of claim 1, wherein delivering the location information uses a medium selected from the group consisting of textual displays, graphical displays, and audio messages. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the group consisting of textual displays, graphical displays, and audio messages in order to provide the information in appropriate form.

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28. Regarding Claim 28, Malik disclosed all the particulars of the claim except a mapping converter that translates the location descriptions from raw form to displayable form. However, Valentine teaches in an analogous art, that The system of claim 20, further comprising a mapping converter that translates the location descriptions from raw form to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the location descriptions from raw form to displayable form in order to provide the information in appropriate form.

29. Regarding Claim 29, Malik disclosed all the particulars of the claim except the mapping converter is in communication with the service control point. However, Valentine teaches in an analogous art, that The system of claim 28, wherein the mapping converter is in communication with the service control point. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the mapping converter is in communication with the service control point in order to provide the information in appropriate form.

30. Regarding Claim 30, Malik disclosed all the particulars of the claim except the group consisting of textual displays, graphical displays, and audio messages. However, Valentine teaches in an analogous art, that The system of claim 28, wherein the mapping converter is in communication with the network that tracks location of network devices. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention

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to include the group consisting of textual displays, graphical displays, and audio messages in order to provide the information in appropriate form.

39. Regarding Claim 39, Malik disclosed all the particulars of the claim except a mapping converter that translates the calling party's location information from raw to displayable form. However, Valentine teaches in an analogous art, that The system of claim 38, wherein the wireless network includes a mapping converter that translates the associated location from a raw to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the calling party's location information from raw to displayable form in order to provide the information in appropriate form.

40. Regarding Claim 40, Malik disclosed all the particulars of the claim except a mapping converter that translates the calling party's location information from raw to displayable form. However, Valentine teaches in an analogous art, that The system of claim 38, wherein the service control point includes a mapping converter that translates the associated location from a raw to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the calling party's location information from raw to displayable form in order to provide the information in appropriate form.

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Claims 9, 25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. in view of Dorenbosch.

9. Regarding Claim 9, Malik disclosed all the particulars of the claim except the location information is global positioning system coordinates. However, Dorenbosch teaches in an analogous art, that The method of claim 8, wherein the location information is global positioning system coordinates. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the location information is global positioning system coordinates in order to provide services and information tailored to the location coordinates.

25. Regarding Claim 25, Malik disclosed all the particulars of the claim except the location information is global positioning system coordinates. However, Dorenbosch teaches in an analogous art, that The system of claim 24, wherein the handheld device location system is a global positioning system. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the location information is global positioning system coordinates in order to provide services and information tailored to the location coordinates.

27. Regarding Claim 27, Malik disclosed all the particulars of the claim except the location information is Wireless Application Protocol. However, Dorenbosch teaches in an analogous art, that The system of claim 26, wherein the network-based location system is a Wireless Application Protocol location system. (Col.2; 48-53) Therefore, it would have been obvious to

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one of ordinary skill in the art at the time of invention to include Wireless Application Protocol in order to provide services and information tailored to the location.

Claims 16, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. in view of LeBlanc.

16. Regarding Claim 16, Malik disclosed all the particulars of the claim except enhanced 911 services. However, LeBlanc teaches in an analogous art, that The method of claim 15, wherein the network provides enhanced 911 services. (Abstract & Col.5; 24-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include enhanced 911 services in order to provide routing E-911 call from the calling party.

23. Regarding Claim 23, Malik disclosed all the particulars of the claim except enhanced 911 services. However, LeBlanc teaches in an analogous art, that The system of claim 20, wherein network is a wireless network that supports enhanced 911 services. (Abstract & Col.5; 24-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include enhanced 911 services in order to provide routing E-911 call from the calling party.

Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. & Alperovich et al. in view of Valentine (WO-99/27716).

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37. Regarding Claim 37, The above combinatio disclosed all the particulars of the claim except a mapping converter that translates the calling party's location information from raw to displayable form. However, Valentine teaches in an analogous art, that The service control point of claim 33, further comprising a mapping converter that translates the calling party's location information from raw to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the calling party's location information from raw to displayable form in order to provide the information in appropriate form.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thu. (6:30-4:00) alternate Fri.(6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

SK
July 2, 2003


WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600